

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

AMERICAN TITLE COMPANY OF)	
ORLANDO, ET AL.,)	
)	
Plaintiffs,)	
)	
vs.)	NO. CIV-04-0889-HE
)	
THE PRUDENTIAL INSURANCE)	
COMPANY OF AMERICA,)	
)	
Defendant.)	

ORDER

By order entered June 30, 2005, the Court again directed the parties to file a report as to the results of the Court-ordered mediation required to have been conducted and reported to the Court by June 1, 2005.¹ The parties have now filed their “Report to the Court.” The report indicates, in substance, that the parties did not file a report of mediation with the Court because they did not conduct a mediation. They did not conduct a mediation because counsel for the parties were unaware they had been ordered to do so. This lack of knowledge apparently stemmed from the fact that none of the three sets of counsel representing the parties in this case had bothered to read the Court’s March 7, 2005, order. That, coupled with some of plaintiff’s counsel being really, really busy,² has caused the parties to seek both an extension of the deadline for mediation and a sixty day extension of other deadlines.


¹See Order, March 7, 2005.

²*The report suggests the departure of Mr. Viera from plaintiff’s counsel’s firm has impacted their preparation in some way. The parties should be aware that Mr. Viera continues as counsel in this case, leave to withdraw having been neither sought nor granted. See LCvR83.5.*

The parties' request for extension of time to conduct the mediation is **GRANTED**, with the mediation to be conducted and a report thereof filed with the Court not later than **August 15, 2005**. The parties' request for extension of other deadlines is **DENIED**. The Court has previously extended deadlines once. The period allowed for discovery, under the present scheduling order, is over nine months. It is time for the parties to get serious about preparing this case for trial or other disposition.

IT IS SO ORDERED.

Dated this 6th day of July, 2005.



JOE HEATON
UNITED STATES DISTRICT JUDGE